

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : John GRIFFIN, et al.

Appln. No. : 10/544,118 Examiner: TBA

Filing Date : August 1, 2005 Group Art Unit: TBA

Title : METHOD AND SYSTEM OF MEASURING AND RECORDING USER DATA IN A COMMUNICATIONS NETWORK

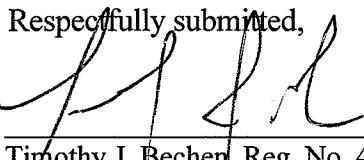
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

RENEWED PETITION UNDER 37 C.F.R. 1.47(b)

In Response to the Decision on Petition dated March 21, 2007, Applicants submit herewith two complete Declarations, each of which is presented to and executed by at least one of the inventors. The Declaration document filed with the present Renewed Petition is now proper.

Although Applicants believe that no additional fee is required, the Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment, to the undersigned attorney's Deposit Account No. 50-4026.

In the event the Office has any further concerns, the Office is invited to call the Applicants' undersigned representative to discuss any issues relating to this application.

Respectfully submitted,


Timothy J. Bechen, Reg. No. 48,126
DREIER LLP
499 Park Avenue
New York, New York 10022
Tel : (212) 328-6100
Fax: (212) 328-6101

Customer Number: 61834



21 MAR 2007

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

DREIER LLP
499 PARK AVE
NEW YORK, NY 10022

In re Application of GRIFFIN et al :
U.S. Application No.: 10/544,118 :
PCT Application No.: PCT/AU2004/000098 :
Int. Filing Date: 29 January 2004 :
Priority Date Claimed: 31 January 2003 : DECISION
Attorney Docket No.: 4670-09US (600193-023) :
For: METHOD AND SYSTEM OF MEASURING :
AND RECORDING USER DATA IN A :
COMMUNICATIONS NETWORK :
:

This is in response to applicant's "Renewed Petition Under 37 C.F.R. 1.47(b)" filed 19 March 2007.

BACKGROUND

On 29 January 2004, applicant filed international application PCT/AU2004/000098, which claimed priority of an earlier Australia application filed 31 January 2003. A copy of the international application was communicated to the USPTO from the International Bureau on 12 August 2004. The thirty-month period for paying the basic national fee in the United States expired on 01 August 2005 (31 July 2005 was a Sunday).

On 01 August 2005, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 05 June 2006, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), which indicated that an oath or declaration in compliance with 37 CFR 1.497 must be filed.

On 09 January 2007, applicant filed a petition under 37 CFR 1.47(b). *R 1/2007*

On 24 January 2007, this Office mailed a decision dismissing the 09 January 2007 petition. *DR 1/2007 LLP*

On 19 March 2007, applicant filed the present renewed petition under 37 CFR 1.47(b) along with an executed declaration.

DISCUSSION

Although the submission of a declaration by the previously nonsigning inventors would normally be a proper response to the decision mailed 24 January 2007, the declaration filed with the renewed petition is improper. Specifically, it is not acceptable to combine pages of separate declarations into a composite document. Applicant must submit either: (1) a single complete declaration which is presented to and executed by both of the inventors or (2) two complete declarations, each of which is presented to and executed by at least one of the inventors.

CONCLUSION

For the reasons above, the renewed petition under 37 CFR 1.47(b) is DISMISSED without prejudice.

If reconsideration on the merits of this petition is desired, a proper response must be filed within TWO (2) MONTHS from the mail date of this decision. Failure to timely file a proper response will result in ABANDONMENT of the application. Extensions of time under 37 CFR 1.136(a) are available. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.47(b)." No additional petition fee is required.

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

Bryan Lin

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459